

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA**

**MICHAEL BOISSONNEAU**

**Plaintiff,**

**v.**

**DAVID TIBBS, et al.,**

**Defendants.**

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**CASE NO.-2:07-CV-914-MHT-TFM**

**SPECIAL REPORT**

Comes now the Defendant, Quality Corrections Health Care, Inc. (incorrectly identified in the complaint as “Quality Corrections Medical Services”), by and through counsel of record, Wayne P. Turner, and respectfully submits this special report.

**Documents**

Affidavit of Johnny E. Bates, M.D.

**Allegations**

1. In ground three of his Complaint, the Plaintiff makes allegations of improper medical care and treatment on the night of his arrest at the Montgomery County Detention Facility (MCDF). He states that this occurred on January 28, 2007.

2. Quality Corrections Health Care, Inc. currently provides medical care to inmates at the Montgomery County Detention Facility (MCDF) pursuant to a contract with Montgomery county. The effective date of such contract was April 1, 2007.

3. Quality Corrections Health Care, Inc. was not providing medical services at MCDF on January 28, 2007. Consequently, Quality Corrections Health Care, Inc. has no knowledge of the

facts alleged by the Plaintiff.

4. No employee of Quality Corrections Health Care, Inc. has ever had any contact with the Plaintiff. Quality Corrections Health Care, Inc. has no medical records on the Plaintiff.

### **Defenses**

5. Quality Corrections Health Care assert the following defenses:

A. This Defendant generally denies all allegations in the complaint, demands strict proof thereof, and denies that the Plaintiff is entitled to any relief.

B. This Defendant avers that the Plaintiff's complaint fails to state a cause of action against this Defendant upon which relief can be granted.

C. This Defendant pleads the general issue and denies any allegations not specifically denied.

D. This Defendant is not the correct party in interest.

E. This Defendant pleads qualified immunity.

F. This Defendant reserves the right to amend these defenses as allowed by the Court.

### **Conclusion**

Plaintiff cannot succeed on any claim against this Defendant. This Defendant has never had any connection with the Plaintiff and was not providing services at MCDF at the time of the alleged incident.

Respectfully submitted this the 28<sup>th</sup> day of November, 2007.

/s/ Wayne P. Turner

Attorney for Defendant  
Quality Correctional Health Care

**OF COUNSEL:**

Wayne P. Turner, Esq.  
Bar Number: ASB7227T80W  
Attorney for Defendant Bates  
1505 Madison Avenue  
Montgomery, AL 36107  
(334) 420-6560 Telephone  
(334) 265-9299 Facsimile  
waynetlaw@aol.com

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 28<sup>th</sup> day of November, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that will send notification of such filing to the parties and/or have mailed a hard copy via US Mail, postage prepaid and properly addressed to:

Michael Ronnie Boissonneau c/o  
Montgomery County Detention Facility  
P.O. Box 4599  
Montgomery, Alabama 361063

D.T. Marshall  
250 South McDonough Street  
Montgomery, Alabama 36104

David Tibbs  
District Attorney's Office  
100 S. Lawrence Street  
Montgomery, Alabama 36104

/s/ Wayne P. Turner  
OF COUNSEL

